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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/737,098 | 12/14/2000 | Kanu Patel | 5056.87281 | 9085 |
| 22908 | 7590 | 02/24/2005 | EXAMINER | |
| BANNER & WITCOFF, LTD. TEN SOUTH WACKER DRIVE SUITE 3000 CHICAGO, IL 60606 | | | | GAUTHIER, GERALD |
| | | ART UNIT | | PAPER NUMBER |
| | | 2645 | | |

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/737,098 | PATEL, KANU |
| | Examiner | Art Unit |
| | Gerald Gauthier | 2645 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 04 February 2005.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1,4-9,12-15,18-22 and 27-29 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 1,4-9,12-15,18-20 and 27-29 is/are allowed.

6) Claim(s) 21 and 22 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a))

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ .

5) Notice of Informal Patent Application (PTO-152)

6) Other: ____ .

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claim(s) 21 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Porter et al. (US 6,411,686 B1) in view of Burgess (US 6,078,660).

Regarding **claim(s) 21**, Porter discloses an automated system for providing information to a caller from a database through a telephone network (column 1, lines 13-15), the system comprising in combination:

(a) means for providing interactive communication with the caller via the telephone network, wherein the means interactively queries the caller to submit a request on a step-by-step basis (FIG. 1 and column 4, lines 6-22) [The automated call director 172 routes the call of the user to the voice processing system 174 which presents to the user various voice prompts];

- (b) means for receiving a plurality of two-character responses from the caller (FIG. 1 and column 4, lines 6-22) [The user responds by pressing buttons on a touch-tone phone during the call];
- (c) means for analyzing and converting the plurality of two-character responses from the caller into a database search request (FIG. 1 and column 4, lines 46-67) [The voice processing system 174 processes the user inputs and exchange the information with the host processor 176];
- (d) searchable database means for storing information and couple to the means for providing interactive communication with the user, wherein the information is selected from the group consisting of credit history information, book availability, and address information (column 6, line 63 "the Illinois market"), wherein the searchable database means comprises means for security checking in order to ensure access to the searchable database means by authorized callers, and wherein the security checker processes security identification information entered by the caller to verify authorization (FIG. 1 and column 6, lines 25-67) [The host processor 176 contains the information of the user and the voice processing system request the user to enter a customer identification number to verify the validity of the customer accessing the system and also the host processor 176 can determine the address information of the user entering the pin to transfer the user to the appropriate market]; and
- (e) a database search means for searching the searchable database means using the database search request (FIG. 1 and column 8, lines 50-62) [The voice

processing system 174 transfer the user information to the host processor 176 to be search at the database].

Porter discloses the user inputting information using the keypad of the touch-tone telephone but fails to describe each two-character response represents a single ASCII character, and wherein each the two-character response corresponds to a plurality of keystrokes entered by the user.

However, Burgess teaches each two-character response represents a single ASCII character, and wherein each the two-character response corresponds to a plurality of keystrokes entered by the user (FIG. 10 and column 5, lines 57-64) [the conversion table transforms a double digits entry into a letter, the digits are entered by the caller using the keypad number].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Porter using the conversion table as taught by Burgess.

This modification would offer the capability of decoding the received signals so that the user would access the information from the system.

Regarding **claim(s) 22**, Porter discloses a method of obtaining information from a database through a telephone system, wherein in the information is selected from the group consisting of credit history information, and book availability information (column 1, lines 13-15), the method comprising the steps of:

(a) interactively querying a caller to submit a request for the information on a step-by-step basis (FIG. 1 and column 4, lines 6-22) [The automated call director 172

routes the call of the user to the voice processing system 174 which presents to the user various voice prompts];

(b) receiving a plurality of character responses from the caller to form a request (FIG. 1 and column 4, lines 6-22) [The user responds by pressing buttons on a touch-tone phone during the call];

(c) analyzing and converting the plurality of character responses from the caller to form a database request search request (FIG. 1 and column 4, lines 46-67) [The voice processing system 174 processes the user inputs and exchange the information with the host processor 176];

(d) searching in a database means for the requested information (FIG. 1 and column 6, lines 25-67) [The host processor 176 contains the information of the user and the voice processing system 174 requests the user to enter a customer identification number to verify the validity of the customer accessing the system]; and

(e) providing the requested information to the caller (FIG. 11A and column 16, lines 56-62) [The voice processing system 174 receives a response from the user requesting access to the bank and the VPS 174 transfer the user to the bank module].

Porter discloses the user inputting information using the keypad of the touch-tone telephone but fails to describe each two-character response represents a single ASCII character, and wherein each the two-character response corresponds to a plurality of keystrokes entered by the user.

However, Burgess teaches wherein each response represents a single ASCII character, wherein step (b) comprises receiving a plurality of two-character responses

from the caller, wherein each two-character response represents a single ASCII character, wherein each the two-character response corresponds to a plurality of keystrokes, and wherein each two-character response correspond to a plurality of input entries from the caller (FIG. 10 and column 5, lines 57-64) [the conversion table transforms a double digits entry into a letter, the digits are entered by the caller using the keypad number].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Porter using the conversion table as taught by Burgess.

This modification would offer the capability of decoding the received signals so that the user would access the information from the system.

Allowable Subject Matter

4. **Claim(s) 1, 4-9, 12-15, 18-20 and 27-29 allowed.**
5. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record at this time fails to disclose a plurality of modems for converting a dual-tone multi-frequency signal into at least on digit and a conversion module that transforms a first digit and a second digit into a letter, wherein the first digit identifies a group of letters and the second digit identifies the letter within the group.

Response to Arguments

6. Applicant's arguments with respect to **claim(s) 21-22** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**GERALD GAUTHIER
PATENT EXAMINER**

g.g.
February 22, 2005



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